



# DISPOSABLE FOOD SERVICE WARE ORDINANCE

CITY COUNCIL MEETING

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# Agenda

- I. Objective
- II. Background
- III. County Ordinance
- IV. Proposed City Ordinance Provisions



# Objective

- Provide information about County's Disposable Food Service Ware Ordinance
- Bring City Disposable Food Service Ware Ordinance for introduction tonight and adoption at 9/14 City Council meeting
  - ~10 cities in the County have already adopted the County's model ordinance



# Background

- August 12, 2008: City Council adopted resolution calling on restaurants and other food service vendors to eliminate disposable food service ware composed of polystyrene (Styrofoam)
- Ordinance was adopted due to polystyrene having detrimental environmental impacts, including litter, harming wildlife and toxic chemicals





# County Disposable Food Service Ware Ordinance

➤ County Office of Sustainability (OOS) repealed their existing Polystyrene Ban Ordinance with a more sustainable ordinance because:

- Plastics end up in storm drains, waterways, the Bay, and ocean
- 1.3 million pounds of trash enters the San Francisco Bay every year
- Debris is ingested by marine animals and wildlife
- Single-use food and beverage packaging makes up 80% of ocean plastic pollution that comes from land





# County Disposable Food Service Ware Ordinance

- Requires food vendors to use compostable food ware and reduce the wasteful distribution of accessories: straws, stirrers, cup spill plugs, condiment packets, utensils, napkins, etc.



- Ordinance Objectives:

- Eliminate disposable food service ware that is not reusable or compostable
- Improve the health and safety of community members
- Help the County meet its regional stormwater permit requirement by reducing street litter (July 2022)





# Proposed Ordinance Provisions

## Who will this affect?

- ❖ Food facilities: Any vendor, business, organization, entity, group or individual that provides prepared food for public consumption, including:
  - Restaurants, mobile food facilities (e.g., food trucks), temporary food facilities (e.g., street fairs), farmers markets, catering operations, some health care facilities, private schools, etc.





# Proposed Ordinance Provisions

Ordinance specifically targets prepared food and  
NOT prepackaged food

## Prepared food

Food or beverage prepared on the food provider's premises, using any cooking or food preparation technique



vs

## Prepackaged food

Any properly labeled processed food, prepackaged to prevent any direct human contact with the food product upon preparation and distribution from the manufacturer





# Proposed Ordinance Provisions

## How will this impact food facilities?

- Polystyrene (Styrofoam) food service ware is still prohibited per existing ordinance
- Accessories (e.g, straws, stirrers, cup spill plugs, condiment packets, utensils, napkins, etc.) can only be provided to consumers only upon request or at self-serve stations/dispensers



STRAW UPON REQUEST ONLY

# Proposed Ordinance Provisions

- Straws, stirrers, utensils, and cocktail/toothpicks (and the packaging that these individual items are wrapped in, if any) must be made from non-plastic, compostable materials
- Plates, bowls, cups, food trays, clamshells, and other take-out containers must be non-plastic and compostable





# Proposed Ordinance Provisions

Exemptions will be allowed for:

- Disposable food service ware that is made from aluminum
- Consumers who require accommodations for medical reasons
- If no reasonably feasible disposable food service ware alternative exists that meets the ordinance requirements.



# Proposed Ordinance Provisions

- When will this go into effect?
  - Due to COVID-19, City will extend the operational and enforcement start date to **October 1, 2022** to align with other jurisdictions that have adopted the County's Ordinance
    - Food facilities may use up their existing non-conforming inventory of disposable food service ware during this time